

1 Honorable Marsha J. Pechman
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 PERCY F. NEWBY,
14 LAWN LIMITED,
15 MGMT LIMITED,
16 CHURCH OF GOD AND APOSTLES, and

THURSTON COUNTY,

Defendants.

Case No. 3:18-cv-05978-MJP

**ORDER TO AUTHORIZE THE
SALE OF THE THOMPSON
CREEK PROPERTY**

The United States has moved the Court for an order authorizing the sale of real property identified as the Thompson Creek Property and located at 22306 Thompson Creek Road SE, Tenino, WA 98589, bearing Thurston County Parcel No. 21519340000, and described more particularly as follows:

Parcel A of Boundary Line Adjustment No. BLA-1832 as recorded August 14, 1996 under Auditor's File Nos. 3046345 and 3046346 in Thurston County, Washington.

1 Abbreviated Legal Description: Section 19 Township 15 Range 1E
2 Quarter SE SW & SW SE BLA-1832 TR A Document 3046346.

3 Based on the United States' motion and 26 U.S.C. §§ 7402(a) and 7403(d), it
4 is hereby ORDERED that:

- 5 1. The sale of the Thompson Creek Property for a purchase price of \$134,000
6 to Judy Fleischman is authorized. Upon the receipt of the purchase price,
7 the receiver is directed to execute the attached receiver's deed
8 transferring title of the Thompson Creek Property to Judy Fleischman, or
9 as directed by her.
- 10 2. The sale shall be free and clear of any existing rights, titles, claims, liens,
11 or interest of the Receiver or any of the parties to this action to wit:
12 a. Percy Newby
13 b. Lawn Limited
14 c. MGMT Limited
15 d. Church of God and Apostles
16 e. The United States' federal tax liens
17 3. Consistent with this Court's Order Appointing Receiver, (Dkt. No. 134), at
18 closing, the Receiver shall be compensated \$9,380 (7% of the gross
19 purchase price), and the reasonable and necessary costs of sale actually
20 incurred from the proceeds of sale. The Receiver shall deposit the net
21 proceeds in the Court Registry, subject to further order of this Court
22 distributing the remaining proceeds of sale.

4. The Receiver is authorized to sign all necessary documents and make all distributions consistent with this Order.
 5. In the event that Judy Fleischman fails to pay over the full purchase price for the Thompson Creek Property to the Receiver within 60 days of this order, she will forfeit any initial deposit she made, and the Receiver may continue to market the property to other prospective buyers pursuant to the Order Appointing Receiver.

IT IS SO ORDERED.

Dated this 26th day of January, 2021.

Marsden Pechman
MARSHA J. PECHMAN
United States District Judge

1 Presented by:

2 RICHARD E. ZUCKERMAN
3 Principal Deputy Assistant Attorney General

4 /s/ Dylan C. Cerling

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